465. Method of serving documents.—(1) When any notice or other document is required by this Act, or by any rule, bye-law, regulation or order made under it to be served on or sent to any person, the service or sending thereof may be effected—

(a) by giving or tendering the said document to such person; or

(b) if such person is not found, by leaving such document at his last known place of abode or business or by giving or tendering the same to his agent, clerk or servant or some adult member of his family; or

(c) if such person does not reside in the city and his address elsewhere is known to the commissioner, by sending the same to him by registered post; or

(d) if none of the means aforesaid be available, by affixing the same in some conspicuous part of such place of abode or business.

(2) When the person is an owner or occupier of any building or land it shall not be necessary to name the owner or occupier in the document, and in the case of joint owners and occupiers it shall be sufficient to serve it on, or send it to, one of such owners or occupiers.

(3) Whenever in any bill, notice, form or other document served or sent under this Act, a period is fixed within which any tax or other sum is to be paid or any work executed or anything provided, such period shall, in the absence of an express provision to the contrary in this Act, be calculated from the date of such service or sending by post, registered.

466. Recovery by occupier of sum leviable from owners.—If the occupier of any building or land makes on behalf of the owner thereof any payment for which under this Act, the owner, but not the occupier is liable, such occupier shall be entitled to recover the same from

the owner and may deduct it from the rent then or thereafter due by him to the owner.

467. Obstruction of owner by occupier.—(1) If the occupier of any building or land prevents the owner from carrying into effect in respect thereof any of the provisions of this Act the commissioner may by an order require the said occupier, to permit the owner, within eight days from the date of service of such order, to execute all such works as may be necessary.

(2) Such owner shall, for a period during which he is prevented as aforesaid, be exempt from any fine or penalty to which he might otherwise have become liable by reason of default, in executing such works.

468. Execution of work by occupier in default of owner.—If the owner of any building or land fails to execute any work which he is required to execute under the provisions of this Act or of any rule, bye-law, regulation or order made under it, the occupier of such building or land may, with the approval of the commissioner, execute the said work, and shall be entitled to recover from the owner, the reasonable expenses incurred in the execution thereof and may deduct the amount thereof from the rent then or thereafter due by him to the owner.

469. Commissioner's power of entry to inspect, survey or execute the work.—The commissioner or any person authorised by him in this behalf may enter into or on any building or land with or without assistants or workmen in order to make any inquiry, inspection, test, examination, survey, measurement or valuation or for the purpose of lawfully placing or removing meters, instruments, pipes or apparatus, or to execute any other work which he is authoraised by the provisions of this Act or of any rule, bye-law, regulation or order made under it, or which it is necessary

for any of the purposes of this Act or in pursuance of any of the said provisions to make or execute:

Provided that—

(a) except when it is in this Act otherwise expressly provided, no such entry shall be made between sunset and sunrise ;

(b) except when it is in this Act otherwise expressly provided no dwelling house, and no part of a public building or hut, which is used as a dwelling place, shall be so entered without the consent of the occupier thereof, unless the said occupier has received at least twenty-four hours' previous notice of the intention to make such entry ;

(c) sufficient notice shall be in every case given, even when any premises may otherwise be entered without notice, to enable the inmates of any apartment appropriated to females to withdraw to some part of the premises where their privacy may be preserved ;

(d) due regard shall be paid, so far as may be compatible with the exigencies of the purpose of the entry, to the social and religious usages of the occupants of the premises.

470. Power to enter on lands adjacent to works.— (1) The commissioner or any person, authorised by him in this behalf may with or without assistants or workmen enter on any land adjoining or within forty-five meters of any work authorised by this Act or by any rule, bye-law, regulation or order made under it, for the purpose of depositing on such land any soil, gravel, stone or other materials, or of obtaining access to such work, or for any other purpose connected with the carrying on thereof.

(2) The commissioner or such authorised person shall, before entering on any land under sub-section (1), give the owner and occupier three days' previous notice of the intention to make such entry, and state the purpose thereof, and shall if so required by the owner or occupier,

fence off so much of the land as may be required for such purpose.

(3) The commissioner or such authorised person shall not be bound to make any payment, tender or deposit before entering on any land under sub-section (1), but shall do as little damage as may be. The commissioner shall pay compensation to the owner or occupier of the land for such entry and for any temporary or permanent damage that may result therefrom.

(4) If such owner or occupier is dissatisfied with the amount of compensation paid to him by the commissioner, he may appeal to the standing committee, whose decision shall be final.

471. Consequences of failure to obtain licences, etc., or of breach of the same.—(1) If, under this Act, or any rule, bye-law or regulation made under it, the licence or permission of the corporation, the standing committee or commissioner or registration in the office of the corpotion is necessary for the doing of any act, and if such act is done without such licence or permission or registration or in a manner inconsistent with terms of any such licence or permission, then—

(a) the commissioner may by notice, require the person so doing such act to alter, remove, or as far as practi cable restore to its original state the whole or any part of any property, movable, or immovable, public or private, affected thereby within a time to be specified in the notice;

(b) the commissioner or any officer duly authorised by him may also enter into or on any building or land where such act is done and take all such steps as may be necessary to prevent the continuance of such act; and

(c) if no penalty has been specially provided in this Act for so doing such act, the person so doing it shall be liable on conviction before a magistrate to a fine not exceeding fifty rupees for every such offence.

(2) N oclaim shall lie against the commissioner or any other person for any damage or inconvenience caused by the exercise of the power given under this section or by the use of the force necessary for the purpose of carrying out the provisions of this section.

472. Time for compling with order and power to enforce in default.—(1) Whenever by any notice, requisition or order made under this Act or under any rule, bye-law or regulation made under it, any person is required to execute any work, or to take any measures or do anything, a reasonable time shall be named in such notice, requisition or order within which the work shall be executed, the measures taken, or the thing done.

(2) If such notice, requisition or order is not complied with within the time so named, then whether or not a fine is provided for such default and whether or not the person in default is liable to punishment or has been prosecuted or sentenced to any punishment for such default, the commissioner may cause such work to be executed, or may take any measure or do anything which may, in his opinion, be necessary for giving due effect to the notice, requisition or order as aforesaid.

(3) If no penalty has been specially provided in this Act, for failure to comply with such notice, the said person shall, on conviction, be punished with fine not exceeding fifty rupees for such offence.

473. Recovery of expenses from persons liable and limitation or liability of occupier.—(1) The commissioner may recover any reasonable expenses incurred under section 472 from the person or any one of the persons to whom the notice, requisition or order was addressed in the same manner as the tax on buildings or lands and may, in executing work or taking measures under section 472, utilise any materials found on the property concerned or may sell